

United States District Court

WESTERN DISTRICT OF NEW YORK

JOHN SANTIAGO

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 12-CV-133T

v.

DAVID UNGER

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is Denied; that the petition is Dismissed; that the Court Declines to issue a certificate of appealability and that leave to appeal as a poor person is Denied.

Date: January 23, 2013

MICHAEL J. ROEMER, CLERK

By: s/Suzanne Grunzweig
Deputy Clerk